

RULES AND REGULATIONS  
OF THE  
LOUISIANA STATE ARTS COUNCIL

ARTICLE I

PURPOSE

Section 1. The purpose of the Louisiana State Arts Council shall be to:

- I. Support the work of the Louisiana individual professional artists.
- II. Promote freedom of artistic expression as an essential element in our society.
- III. Promote a wide variety of high quality arts opportunities in the state accessible to the general public to engage in and experience.
- IV. Preserve and showcase the cultural heritage, i.e. crafts, music, customs, traditions, indigenous to Louisiana.
- V. Act as a catalyst to private and public sectors in developing the kind of positive and supportive attitude in the state that will enable the arts and artists to flourish.
- VI. Support and encourage the utilization of the arts and the creative process as an integral and basic element in all educational programs.

ARTICLE II

LEGISLATED AUTHORITY

Section 1. The official arts agency of the State of Louisiana will be under the jurisdiction of the Department of Culture, Recreation and Tourism and shall be composed of the Louisiana State Arts Council and the Division of the Arts. The Louisiana Arts Council and the Division of the Arts shall serve as the state administrative body in carrying on the functions of what is required of a state arts agency.

Section 2. In accordance with Acts 83 and 265, Louisiana Revised Statutes, the Louisiana State Arts Council shall be responsible for acting on all grant applications for Federal/State or other funds made available to the arts agency. The Council shall approve or reject by majority vote of a quorum said applications according to approved guidelines and criteria and report its action to the Director of the Division of the Arts. All action on said applications taken by the Louisiana State Arts Council shall be final.

Section 3. Furthermore, Acts 83 and 265, Louisiana Revised Statutes, mandates the Louisiana State Arts Council to advise the staff of the Division of the Arts on a state plan for the arts required for the Basic State Operating Grant by the National Endowment for the Arts, as well as any other policies and/or matters the Council may consider appropriate; provided all

recommendations are consistent with the goals and policies of the Department of Culture, Recreation and Tourism as provided by state, federal laws, rules and regulations.

Section 4. In accordance with Act 265, Louisiana Revised Statutes, the Council shall make recommendations to the Secretary of the Department of Culture, Recreation and Tourism and appropriate state officials pertaining to the employment of a professional director of the Division of the Arts.

### ARTICLE III

#### MEMBERSHIP

Section 1. Composition. The Council shall consist of seventeen members appointed by the Governor composed of persons who have a recognized interest, experience, expertise, or knowledge in the arts or in a particular field of artistic endeavor or arts administration.

Section 2. Appointment. Members shall serve for a six-year term; provided, however, that initially six members shall serve a term of two years, six members shall serve a term of two years, six members shall serve a term of four years and five members shall serve a term of six years each. Each member appointed under the provisions of Executive Order No. 76-14 serving on the effective date of this section shall continue to serve his respective term of office until his successor is appointed and qualified.

Section 3. Resignation If any council member, for whatever reason, misses three successive regular meetings, this member shall resign and submit a letter so stating to the Governor, the Chairman of the Louisiana State Arts Council and the Director of the Division of the Arts.

Section 4. Compensation. Members of the Louisiana State Arts Council shall serve for no compensation, but are authorized to receive reasonable actual expenses insofar as funds are made available by the secretary of the Department of Culture, Recreation and Tourism.

### ARTICLE IV

#### OFFICES

Section 1. The office and mailing address of the Louisiana State Arts Council shall be the same as the Division of the Arts.

## ARTICLE V

### MEETINGS

Section 1. Regular Meetings. The regular meetings of the Louisiana State Arts Council shall be held a minimum of four times a year on date, time and location, as determined by the executive committee.

Section 2. Special Meetings. Special meetings of the Louisiana State Arts Council may be held upon call of the Chairman or, in the absence of the Chairman, by the Vice Chairman or by petition from seven or more Council members.

Section 3. Notice of Meetings. All meetings of the Council shall be open to the public, in accordance with the Sunshine law. Notice of each regular meeting shall be given to the public and to the media and published in the official journal of the state at least ten (10) days in advance of each meeting. The staff of the Division of the Arts shall mail notice of each regular meeting and a copy of a tentative agenda for such a meeting to the members of the Council at their last known address at least ten (10) days in advance of each meeting. Special meetings of an emergency nature can be called on a shorter notice so long as a quorum for voting purposes can be secured. Each notice shall specify the place, the day, the hour of the meeting and the nature of the business to be transacted.

Section 4. Quorum. A simple majority of the member of the Louisiana State Arts Council shall constitute a quorum for the transaction of business and when a quorum is present, business may be transacted upon a simple majority vote of the members present at such meetings. In the absence of a quorum, a meeting may be conducted, but no official business may be transacted.

Section 5. Voting Rights. Each member of the council shall be entitled to one vote on any matter of business before the Council, except that the presiding officer may vote only in the event of a tie or as specified in Robert's Rules of Order, Newly Revised. Voting rights may not be exercised by proxy. The State Code of Ethics shall govern in voting rights and privileges. In addition, any members of the Louisiana State Arts Council who receive any personal financial emoluments of any nature, kind or description arriving from any LSAC grant, or who serve as chief administrative officer or project director of any applying organization, shall recuse themselves from voting or participating in the discussion concerning that organization's application during the LSAC grants allocation meetings. Such Council members may vote when the grants are voted on en masse by discipline.

Section 6. Organization. At every meeting the Chairman of the Louisiana State Arts Council, or in the absence of the Chairman, the Vice Chairman, or in the absence of both, the Secretary of the Council may act as Chairman. The Secretary of the Council may act as Secretary at all meetings. In the absence of the Secretary, the Chairman may appoint another person to serve as Secretary Pro Tem. Meetings shall be governed by Robert's Rules of Order, Newly Revised.

## ARTICLE VI

### COMMITTEES

Section 1. Standing and Ad Hoc Committees. There shall be an Executive Committee and such other committees as the Council may from time to time determine. Ad hoc committees may be appointed by the Chairman as needed with the appointment of such committees reported to the Council at the next regular meeting.

Section 2. Executive Committee. (A) The Executive Committee shall be elected bi-annually at the same time of the election of officers with terms to be effective at the next scheduled meeting, and shall consist of the four officers and three additional members. Four shall constitute a quorum and the Committee may act upon the majority vote of its members. The Executive Committee shall meet prior to the quarterly meetings and shall prepare the agenda for the meetings. The duties of the Executive Committee will include: such duties as are delegated by the Council and administrative duties normally designated to such a body.

(B) The Chairman of the Council shall be the Chairman of the Executive Committee.

Special meetings of the Executive Committee shall be held on the call of any member of the committee. Neither the Chairman nor the Executive Committee shall have the authority to commit the Council to anything (except as authorized in these rules and regulations) without the express consent of the Council.

Section 3. Nominating Committee.

A nominating committee consisting of three (3) Council members, one appointed by the full Council at the regular meeting preceding election, one by the executive committee, and one by the Director of the Division of the Arts shall be established to select nominees for Council officers. The Committee will meet and submit one nomination for each position to the Council by mail, at least two weeks prior to the regular meetings when elections are held. The committee will ascertain from those nominated as to their willingness to serve prior to the actual election. The Director of the Division of the Arts will act in a non-voting advisory capacity at the nomination committee meeting. Additional nominations for officers may be made from the floor with the consent of the candidate. Nominations for three (3) at large members of the Executive Committee will be made from the floor at the election meeting.

## ARTICLE VII

### OFFICERS OF THE COUNCIL

Section 1. Number The officers of the Council shall be the Chairman, the Vice Chairman, the Parliamentarian and the Secretary, in accordance with Act 265, Louisiana Revised Statutes.

Section 2. Election and Term of Office. Officers shall be elected on each odd numbered year at the regular meeting closest to and prior to July 31, and shall assume office at the next meeting

(Executive or Council). Officers may serve more than one term in a particular position, but no more than two terms in the same office shall be served consecutively.

Section 3. Vacancy. A vacancy in any office, other than Chairman and Vice Chairman caused by death, resignation, removal or disqualification or for any other cause may be filled for the unexpired portion of the term by the Executive Committee; subject, however, to the ratification of the Council at its next meeting. A vacancy in the office of the Chairman or Vice Chairman will be filled by the Council.

Section 4. Duties. Duties of the officers shall be authorized by the Council.

## ARTICLE VIII

### DIVISION OF THE ARTS

Section 1. Duties. The Division of the Arts shall perform and have responsibilities for the powers, duties, and functions pursuant to Sections 951 et. Seq. Of Title 20 of the United States Code, relative to the National Endowment for the Arts and the functions relating to the promotion of the arts, the cultural enrichment of the people of the state, the sustenance of artistic activity in and of the State of Louisiana, and providing technical assistance upon request to further the purposes of Act 265. The Division of the Arts shall perform and be responsible for the duties, powers, and functions of the Louisiana State Arts Commission (R.S. 25:306) which is abolished and its functions transferred to the Department of Culture, Recreation and Tourism as provided by Title 36 of the Louisiana Revised Statutes of 1950.

Section 2. Staff.

- (a) The Director of the Division of the Arts shall have general supervision over the subordinate officers and employees subject to the general supervision and control of the Assistant Secretary of the Office of Program Development.
- (b) The Director of the Division of the Arts may sign and execute any and all contracts or other documents of the Division of the Arts, and in general, shall perform all duties incident to the Division staff of the State Arts Agency and such other duties as may from time to time be requested by the Council
- (c) The Director of the Division of the Arts shall be responsible for preparing the budget of the Division of the Arts. Once the Council has reviewed the budget and has approved those sections dealing with program monies, and it has been passed by the Office of Management and Finance and the Louisiana Legislature, the Director of the Division of the Arts shall have full authority to authorize expenditures under the budget and in accordance with existing state laws.
- (d) The Director of the Division of the Arts shall, wherever it may be necessary in his opinion,

prescribe the duties of any subordinate staff members whose duties are not otherwise defined.

- (e) The Director of the Division of the Arts shall comply with the applicable statutes and regulations of the State of Louisiana.

Sub-Section. Support Services. The staff of the Division of the Arts shall:

- (a) Keep at the headquarters of the Division of the Arts an original and copy of the Council's Rules and Regulations as amended by the Council and certified by the secretary.
- (b) Keep at the headquarters of the Division of the Arts a book of the minutes of all meetings of the Council (Whether quarterly or special) as certified by the Secretary, their time and place, the notices thereof and the names of those present at the meetings. Copies of all minutes shall be mailed to each member after the meeting.
- (c) See that all notices are duly given in accordance with the provisions of these Rules and Regulations as required by law.
- (d) Be custodian of the records of the Council.
- (e) See that the books, reports, statements and all other documents and reports required by law are properly kept and filed.
- (f) Exhibit at all reasonable times to anyone, upon application, the records of the proceedings of the Council.

## ARTICLE IX

### ADVISORY PANELS

#### Section 1. Advisory Panels.

- (a) The Council shall appoint advisory panels in designated art fields. The existence of any advisory panel shall continue for a period of one year. Each panel shall perform such duties as shall be specified by the Louisiana State Arts Council, including reviewing of grant applications for artistic and financial feasibility, ranking such applications according to priority, and submitting from time to time recommendations to the Louisiana State Arts Council for courses of action designed to promote the functions and activities of the Council for courses of action designed. Each panel shall be advisory only and shall not have authority to commit the Council or the Division of the Arts financially or otherwise.
- (b) Each advisory panel shall consist of twelve (12) persons qualified in the designated art field with (6) needed at a meeting to constitute a quorum, and shall be appointed by the Executive Committee with recommendations from the Division of the Arts. In addition, one member of the Council shall serve on each panel as a facilitator and will be appointed by the Chairman of the Council. All will serve without compensation (except travel expenses, if available through the Division of the Arts).
- (c) Appointments to the advisory panels shall be for one year. No panel member may serve for

more than three consecutive years on the same panel. No panel member serving a three-year term shall be eligible for reappointment to the same advisory panel during the one-year period following the expiration of the term.

## ARTICLE X

### GRANTS

Section 1. Processing. All applications will be received and processed in accordance with “Grant Application processing procedures” as established by the Council and the Division of the Arts. Copies of “Grant Application Processing Procedures” will be made available to arts groups, agencies and the general public upon request.

## ARTICLE XI

### REPORTS

The Louisiana State Arts Council, through the Department of Culture, Recreation and Tourism, Division of the Arts, shall report as required by law to the Governor and the Legislature of Louisiana on the state of the arts. It, through the Division, may also publish other reports or studies on matters affecting the state of the arts in the growth and development of the state of Louisiana.

## ARTICLE XII

### AMENDMENTS

These Rules and Regulations may be either amended or repealed and new Rules and Regulations may be adopted at any meeting to the Council by a two-thirds vote of the membership present. The notice of each meeting shall be accompanied by a copy of any such proposed amendment to or of any proposed new Rules and Regulations, and of any proposal to repeal them in whole or in part.

## ROLE OF THE LOUISIANA ARTS COUNCIL

As a part of the official state arts agency of Louisiana, which includes the Council and the Division of the Arts within the Department of Culture, Recreation and Tourism, the Council shall:

1. Have final authority in the allocation of Federal/State and other funds made available to it according to approved guidelines and criteria; and adopt such policies and procedures as are necessary for fair and equitable distribution.  
Policies, guidelines, criteria, review process, distribution, allocation, evaluation and impact. Note: Administration of grants programs is the responsibility of Division of the Arts.
2. Advise regarding the state plan for the arts required for the Basic State Operating Grant by the National Endowment for the Arts.  
Resources/Needs Assessment  
Goals/Objectives/Priorities  
Program/Administration/Budget  
Evaluation/Impact
3. Advise and assist, where appropriate, in the formulation of arts policy, in identifying priorities, and in assessment of impact (state, federal and other); and on other matters pertaining to the arts.
4. Make recommendations to the Secretary of the Department of Culture, Recreation and Tourism and appropriation state officials pertaining to the employment of a professional director of the Division of the Arts.
5. Approve Council plan of work yearly, and periodically review long-range objectives and operations of the Divisions of the Arts, holding such meetings (minimum of four per year) and establishing such committees and panels as are needed for proper planning, implementation and evaluation.
6. Recommend Council budget to the Secretary of the Department of Culture, Recreation and Tourism.
7. Elect officers, Executive Committee, and one person to Council Nominating Committee.
8. Be an advocate for the arts.
9. Establish and maintain appropriate relationships with: e.g., the Division and Department, the Council of 100, the National Endowment, South Arts Federation and National Assembly of State Arts Agencies; governmental officials and agencies; arts organizations, artists and arts publics; special constituencies; and private and corporate sectors.



10. Conduct business in accordance with federal and state laws, Council rules and regulations and Acts 83 and 265, Louisiana Revised Statutes.

#### ROLE OF THE COUNCIL EXECUTIVE COMMITTEE

The Louisiana State Arts Council Executive Committee shall:

1. Perform such administrative duties normally designated to such a body as well as responsibilities delegated to it from time to time by the Council.
2. Determine time, date, place, and agenda of Council meetings and so notify Council members.
3. Recommend Council Plan of work and calendar each year for Council approval.
4. Review and make recommendations to the Council on each grant application, subject to final approval by the Council. Assess distribution.
5. Determine membership of Professional Advisory Panels in cooperation with the Director of the Division of the Arts.
6. Recommend membership of all standing committees subject to approval of the Council.
7. Select one person to serve on Council Nomination Committee.
8. Report all business and actions of the Executive Committee to the Council at its next meeting.

#### ROLE OF COUNCIL OFFICERS

Louisiana State Arts Council officers shall perform such duties as are appropriate for the positions or authorized by the Council.

The Chairman shall:

1. Lead Council activities.
2. Work in close partnership with the Director of the Division of the Arts; communicate recommendations, actions, and views of the Council to appropriate Departmental officials.

3. Officially represent Council between meetings or when official capacity of Chairman is required or requested.
4. Prepare for, facilitate, and chair Council and executive Committee meetings.
5. Establish and make appointments to ad hoc committees as needed and appoint chairmen of all committees and panels.
6. See that the Council remains informed between meetings.
7. Provide education and leadership development as needed by the Council.
8. Be a spokesperson on policy matters as adopted by the Council.
9. Serve as a member of NASAA and as a board member of SAF or delegate said responsibilities to the Vice Chairman or another member of the Executive Committee.
10. Work with the Chairman of the Council of 100 to ensure proper interrelationships and interactions between councils.
11. Serve as an ex-officio member of all Council committees except the Nominating Committee.

The Vice Chairman shall:

1. In the absence of the Chairman, preside and perform the duties of the Chairman.
2. Head a standing or ad hoc committee as needed.

## ROLES OF COUNCIL OFFICERS

The Secretary shall:

1. Review minutes prior to Council and Executive Committee meetings.
2. Oversee the duties delegated to the Secretary of the Division of the Arts as outlined in the Council's Rules and Regulations, Article VIII, under Support Services.
3. Read important correspondence (or give the gist of it and conduct such correspondence as authorized by the Chairman, Executive Committee or Council.
4. Have for utilization at Council meetings: list of Council members, committees and

membership of committees, Council Rules and Regulations, Policies, and other materials as requested by the council.

The Parliamentarian shall:

1. Advise the Chairman and Council regarding parliamentary procedure and Rules and Regulations adopted by the Council.
2. Serve as the Chairman for review and revision of Rules and Regulations as needed and authorized by the Council.
3. Advise the Chairman and the Council on matters pertaining to federal and state laws and Acts 83 and 265, Louisiana Revised Statutes.

**PROPOSED AMENDMENTS TO THE LOUISIANA STATE ARTS COUNCIL'S  
1997 RULES AND REGULATIONS ADOPTED SEPTEMBER 22, 1997**

1. Add the following to Section 2, ARTICLE VI, Executive Committee:  
“(C) Notwithstanding the above, the Council shall, at this September 1997 meeting, establish its Executive Committee with its members’ terms to be effective at this meeting.”
2. Add the following sentence to Section 3, ARTICLE VI, Nominating Committee:  
“In the case of the officers and the three (3) at-large Executive Committee members for the 1997/1999 term, there shall be no Nominating Committee established, and all nominations will be made from the floor, with the consent of the candidate, at the Council’s September 1997 meeting.”
3. Replace the first sentence of Section 2, ARTICLE VII, Election and Term of Office:  
“Officers shall be elected on each odd numbered year at the regular meeting closest to and prior to July 31, and shall assume office at the next meeting (Executive or Council), except that at its September, 1997 meeting, its officers and at-large Executive Committee members shall assume office immediately upon their election.”